APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,172	06/04/2007	Stefan Geoffrey Butlin	051033	1928

23696   7590   05/17/2012
QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER
VU, THANH T

ART UNIT	PAPER NUMBER
2175	

NOTIFICATION DATE	DELIVERY MODE
05/17/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com

	Application No.	Applicant(s)
Office Action Summary	10/598,172	BUTLIN ET AL.
	Examiner	Art Unit	
	THANH VU	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 March 2012</u>.
2a) ☒ This action is **FINAL**.　　　　2b) ☐ This action is non-final.
3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5) ☒ Claim(s) <u>21-52</u> is/are pending in the application.
　　5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6) ☐ Claim(s) _____ is/are allowed.
7) ☒ Claim(s) <u>21-52</u> is/are rejected.
8) ☐ Claim(s) _____ is/are objected to.
9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.
11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to Amendment, filed 03/06/2012.

Claims 21-52 are pending in this application. In the Amendment, claims 21, 26, 29, 37,

45-52 have been amended. This action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 21-25, 27-33, 35-41, 43-49, and 51-52 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Novak et al. ("Novak", US 7,543,235) and Bells et al. ("Bells" Pub.

No.: US 2005/0050474).

Per claim 21, Novak teachers a method of rendering user interface elements on a display,

the method comprising:

defining an archive file hierarchy, wherein the archive file hierarchy includes a plurality.

of archive files and each of the plurality of archive files has a position in the archive file

hierarchy in a range between a highest position and a lowest position (fig. 4; col. 6, lines 43-54;

col. 7, lines 20-42; col. 9, lines 34-45; col. 10, lines 33-38; col. 15, lines 55-67);

storing one or more user interface elements in each of the plurality of archive files (col. 7,

lines 1-12); and

rendering each of the one or more user interface elements based on the position in the archive file hierarchy of a respective archive file in which each of the one or more user elements is stored (fig. 4; col. 7, line 49-58; col. 9, lines 34-45; col. 10, lines 33-38; col. 15, lines 55-67).

Novak does not specially teach wherein the plurality of archives files comprise at least one common archive file used by a plurality of applications and plurality of application-specific archive files. However, Bells teaches a plurality of archives files comprise at least one common archive file used by a plurality of applications and plurality of application-specific archive files teaches ([0047]-[0050]; [0056]; *which show at least one file for used throughout various screens (i.e. a common archive file) and files that define custom icons and graphic images for specific applications (i.e. application specific archive files)*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Bells in the invention of Novak in order to provide various files for changing visual attributes associated with graphical user interface of a device.

Per claim 22, the modified Novak teaches the method of claim 21, further comprising: rendering a user interface element within an archive file having a highest position in the archive file hierarchy to appear in a display (Novak, col. 7, lines 20-42).

Per claim 23, the modified Novak teaches the method of claim 22, further comprising: giving a user interface element within an archive file having a highest position in the archive file hierarchy preference to pixels in the display over any other user interface element having a lower position in the archive file hierarchy that attempts to use the pixels (Novak, col. 8, lines 22-28; col. 7, lines 15-19; col. 9, lines 34-45; col. 10, lines 33-38 col, 16, lines 29-37).

Per claim 24, the modified Novak teaches the method of claim 21, wherein the one or more user interface elements are defined by a mobile network operator, a device manufacturer, a trig, a user, or a combination thereof (Novak, col. 1, lines 30-40; col. 6, lines 16-42).

Per claim 25, the modified Novak teaches the method of claim 24, wherein the one or more user interface elements are prioritized in the following order from highest to lowest: mobile network operator defined user interface elements, device manufacturer defined user interface elements, trig defined user interface elements, and user defined user interface elements (Novak, col. 1, lines 30-40; col. 6, lines 16-42; col. 10, lines 28-37; which show various entities can define different skins and a user can prioritize the skin based on user's need).

Per claim 27, the modified Novak teaches the method of claim 21, further comprising: defining an obscuring element in one or more archive files, wherein the obscuring element is configured to mask a user interface element that occupies a common region of a display as the obscuring element and is stored within an archive file having a lower position in the archive file hierarchy than an archive file in which the obscuring element is located (Novak, col. 7, lines 15-67; col. 9, lines 34-45; col. 10, lines 33-38; col. 15, lines 55-65).

Per claim 28, the modified Novak teaches the method of claim 27, further comprising: refusing to fetch a user element to be masked from an archive file having a lower position in the archive file hierarchy when an obscuring element in an archive file having a higher position in the archive file hierarchy is to be rendered and occupies a common region of the display as the user element to be masked (Novak, col. 7, lines 15-67; col. 9, lines 34-45; col. 10, lines 33-38; col. 15, lines 55-65).

Claims 29-33 and 35-36 are rejected under the same rationale as claims 21-25 and 27-28 respectively.

Claims 37-41 and 43-44 are rejected under the same rationale as claims 21-25 and 27-28 respectively.

Claims 45-49 and 51-52 are rejected under the same rationale as claims 21-25 and 27-28 respectively.

Claims 26, 34, 42, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novak et al. ("Novak", US 7,543,235), Bells et al. ("Bells" Pub. No.: US 2005/0050474), and Olander et al. ("Olander et al.", US 2005/0108648).

Per claim 26, the modified Novak teaches the method of claim 21, further comprising: defining an element in one or more archive files, wherein the element defines one or more attributes for text used in a title to be rendered at a display; and displaying text associated with an element having a highest position in the archive file hierarchy unless an archive file not associated with an element and having a higher position than the element includes an instruction to ignore any windowtitle.txt elements associated with lower archive files masked (Novak, col. 6, lines 43-54; col. 7, lines 15-67; col. 9, lines 1-3 and lines 34-45; col. 10, lines 33-38; col. 15, lines 55-65, which rendering elements based on z-ordering as specified in the skin definition; and the skin has different files can define text elements). The modified Novak does not teach the element is windowtitle.txt element that defines one or more attributes for text used in a tile of a window to be rendered at a display. However, Olander teaches an element that defines one or more attributes for text used in a tile of a window to be rendered at a display (Claim 1 and 9). In addition, it is well known in the art that one of the skin files of the modified Novak can be named

windowtitle.txt to provide text descriptions. Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to include a windowtitle.txt element and text

element for title of a window as taught by Olander in the invention of the modified Novak in

order to provide attributes that define the look and feel of a graphical user interface.

Claim 34 is rejected under the same rationale as claim 26.

Claim 42 is rejected under the same rationale as claim 26.

Claim 50 is rejected under the same rationale as claim 26.

Response to Arguments

Applicant's arguments with respect to the amendment have been considered but are moot

in view of new ground of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to THANH VU whose telephone number is (571)272-4073. The

examiner can normally be reached on Mon- Fri 7:00AM - 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh T. Vu/
Primary Examiner, Art Unit 2175